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 JERRY R. JOLLY, Director
 California Department of Alcoholic Beverage Control

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KNIGHTSBRIDGE WINE SHOPPE, LTD., et al.

Plaintiffs,

v.

JERRY R. JOLLY, in his capacity as Director
 of the California Department of Alcoholic
 Beverage Control,

Defendant.

Case No.: 5:06-CV-02890-JF

STIPULATION AND
[PROPOSED ORDER]
RE CONTINUANCE OF
MOTION HEARING DATE

Date: October 20, 2006

Time: 9:00 a.m.

Ctrm: 3

The Honorable Jeremy Fogel

By and through their respective attorneys of record, plaintiffs Knightsbridge Wine Shoppe, Ltd., et al. and defendant David Goss, in his capacity as Acting Director of the California Department of Alcoholic Beverage Control (defendant Jerry R. Jolly having retired effective as of September 1, 2006, see Fed. Rules Civ. Procedure, Rule 25(d) [providing for the automatic substitution as a party of the successor to a public officer sued in an official capacity]) hereby stipulate and agree as follows:

1. The motion hearing date for this case shall be continued from October 20, 2006 at 9:00 a.m. to December 1, 2006, at 9:00 a.m.; and

2. Motions and supporting papers, oppositions, and replies shall be served and filed not less than 35, 21, and 14 days, respectively, preceding this new hearing date (see Civil L. R. 7).

GOOD CAUSE exists, as follows, for approval of the scheduling changes sought pursuant to this stipulation:

1. The Court set this case for motion hearing on October 6, 2006 at 9:00 a.m. at the case management conference held on July 14, 2006 and thereafter continued hearing date to October 20, 2006 pursuant to stipulation of the parties.

2. The instant stipulation to reschedule the motion hearing date to December 1, 2006 is sought in order to allow time for the parties to complete discussions now in progress regarding plaintiffs' proposed amendment of their complaint by stipulation and to allow the parties to complete certain limited discovery, all in a manner that will not prejudice defendant.

3. The parties do not anticipate any further continuance of the motion hearing date.

4. Approval of the proposed change to the current motion schedule will not unduly delay the resolution of this action and indeed will allow the parties to more properly frame the issues before this Court.

Dated: September 11, 2006

Kenneth W. Starr
James F. Basile
James Shannon
Tracy K. Genesen
Christopher W. Keegan
Ryan M. Christian
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By: /s/ Tracy K. Genesen
TRACY K. GENESEN

Attorneys for Plaintiffs

Dated: September 11, 2006

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By: /s/ Marjorie E. Cox
MARJORIE E. COX
Deputy Attorney General

Attorneys for Defendant

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 12, 2006


HONORABLE JEREMY FOGEL